

1           LAW OFFICES OF  
2           **NASH & KIRCHNER, P.C.**

3           P.O. BOX 2310  
4           TUCSON, ARIZONA 85702  
5           Telephone (520) 792-1613  
6           Fax (520) 628-1079  
7           Pima County Computer No. 41636  
8           State Bar No. 002893  
9           walter.nash@azbar.org  
10          bkirchner@azbar.org

11          Attorney for defendant David Reid

12  
13                           IN THE UNITED STATES DISTRICT COURT  
14                           FOR THE DISTRICT OF NEW MEXICO

15          UNITED STATES OF AMERICA,

16                           Plaintiff,

17                           CR-05-1849 JH

18          VS.

19          DAVID REID,

20                           Defendant.

21                           UNOPPOSED MOTION TO EXTEND DUE DATE FOR REPLY TO  
22                           GOVERNMENT'S RESPONSE RE: FRUITS OF TITLE III WIRETAPS  
23                           AND TO SET A HEARING

24                           Excludable day under 18 U.S.C. §3161(h)(i)(F) will occur as a result  
25                           of this motion or of an order based thereon.

26                           The defendant Reid, by his counsel undersigned, hereby moves this

LAW OFFICES OF  
NASH & KIRCHNER, P.C.  
P.O. BOX 2310  
TUCSON, ARIZONA 85702  
Telephone (520) 792-1613

1 Court for an Order extending for 30 days the time for filing a reply to the  
2 Government's Response (document number 1661) to Defendants Joint  
3 Motion to Suppress the Fruit of Title III Wiretaps (document number 1533),  
4 and the Supplement of Defendants David Reid and Greg Hill to the  
5 Defendant's Joint Motion To Suppress The Fruit Of Title III Wiretaps (filed  
6 February 2, 2009) (document number 1627). The reasons for this request  
7 are:  
8

9  
10 1. The unusually fact-intensive and complex nature of the issues  
11 to be addressed and size of the conspiracy involved;

12 2. The length of brief replied to (the Government's Response is  
13 48 pages long);  
14

15 3. The fact that counsel has deadlines in several other cases that  
16 have been set around the same time.

17 Pursuant to Rule 47.8(a), local Rules of Crim. P. the deadline would  
18 be June 22, 2009. The defense respectfully requests an extension of thirty  
19 (30) days to and including July 22, 2009.  
20

21 The Government has no objection to the requested extension.  
22

23 It is further requested that the Court set a hearing on the issue of  
24 whether a *Franks* hearing will be granted in this matter. It is requested that  
25 the hearing be set the second week of August, 2009, if possible and that  
26

1 two hours be allowed. The Government concurs with this request.

2 RESPECTFULLY SUBMITTED this 10<sup>th</sup> day of June, 2009

3  
4 LAW OFFICES OF  
5 NASH & KIRCHNER, P.C.

6  
7 BY /S/ Walter Nash  
8 WALTER NASH  
9 Attorney for Defendant Reid  
10  
11

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
LAW OFFICES OF  
NASH & KIRCHNER, P.C.  
P.O. BOX 2310  
TUCSON, ARIZONA 85702  
Telephone (520) 792-1613

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading was delivered to opposing counsel and all other counsel of record *via* the CM/ECF system this 10<sup>th</sup> day of June, 2009.

/s/ Walter Nash

LAW OFFICES OF  
NASH & KIRCHNER, P.C.  
P.O. BOX 2310  
TUCSON, ARIZONA 85702  
Telephone (520) 792-1613